

1 what you knew to be WVOS?

2 A Not initially, no.

3 Q Not initially. What did you do then?

4 A I went to the post office on the same road.

5 Q It was on the same road?

6 A Right.

7 Q Where is the post office in relation to what you
8 later determined was WXTM?

9 A I believe it's either immediately next door or two
10 properties away.

11 Q So, the post office was either next door or two
12 properties away, and it didn't know where WXTM was?

13 JUDGE STEINBERG: That's leading.

14 BY MR. ARONOWITZ:

15 Q Did you testify to that?

16 JUDGE STEINBERG: I don't remember it.

17 THE WITNESS: No, I don't believe we mentioned
18 that before.

19 JUDGE STEINBERG: What happened at the post
20 office? See, that's the question, what happened at the post
21 office?

22 THE WITNESS: I inquired at the post office, do
23 you know where WXTM is, and the clerk at the counter replied
24 he never heard of the station. The only station they have
25 in town is WVOS.

1 BY MR. ARONOWITZ:

2 Q So, did you just testify --

3 JUDGE STEINBERG: Well, he just said it.

4 MR. ARONOWITZ: Well, I thought he said something
5 before, and I apparently missed it, also, so I just want to
6 make sure that I understand.

7 JUDGE STEINBERG: Well, you know a lot more than I
8 know, so therefore, it's easier for me to remember what he
9 said, so don't fault yourself for that. I mean, I'm the one
10 in the room that knows the least about this case and I have
11 done that on purpose. I don't want to be confused with
12 extraneous knowledge.

13 (Pause.)

14 BY MR. ARONOWITZ:

15 Q Mr. Loginow, did you testify this morning that you
16 observed Fort Lee and Pomona equipment on August 2, 1995?

17 A Yes, I did.

18 Q What did you see when you looked at the equipment?

19 MR. NAFTALIN: Objection. Can we ask which
20 equipment? It's too broad.

21 BY MR. ARONOWITZ:

22 Q What did you see when you inspected the
23 translators with Mr. Turro?

24 MR. NAFTALIN: Well --

25 MR. ARONOWITZ: We've got to start somewhere.

1 MR. NAFTALIN: Which station?

2 JUDGE STEINBERG: Let's start with --

3 BY MR. ARONOWITZ:

4 Q Let's start with Fort Lee, I'm sorry, I'm sorry.
5 What did you see at Fort Lee?

6 A There was a receiver, a Sony automobile receiver
7 and there was a transmitter and the two were connected, to
8 have the audio come out of the car radio into the
9 transmitter.

10 JUDGE STEINBERG: Was it a digital car radio or
11 analog?

12 THE WITNESS: It was an analog tuning, if I
13 remember correctly. Yes, it had to be analog tuning.

14 BY MR. ARONOWITZ:

15 Q What was this connected to, if anything?

16 A They were connected to the antennas on the outside
17 and there were also filters available in the receiver.

18 Q There were filters on the receive antenna, is that
19 what you just said?

20 A Yes.

21 Q Had you ever seen the Fort Lee translator's
22 equipment before?

23 A Yes, on another occasion.

24 Q What other occasion?

25 MR. NAFTALIN: Objection. May I make the

1 objection?

2 JUDGE STEINBERG: Yes, sure, I was pointing.

3 MR. NAFTALIN: Oh, I'm sorry, I thought that was a
4 shush.

5 JUDGE STEINBERG: No, no, no. That was a full
6 hand point.

7 MR. NAFTALIN: This sounds like new direct
8 testimony. We have been through Mr. Loginow's inspections
9 in this case, April, May, July, August, 1997. He's provided
10 documents. He's testified that the first time he looked at
11 that equipment was the August 2, 1995 inspection, and I want
12 to object strenuously if counsel is soliciting new direct
13 testimony, having had this witness for six months and
14 already having provided his direct statement.

15 JUDGE STEINBERG: Well, let's hear what the answer
16 is before we determine whether --

17 MR. NAFTALIN: Okay.

18 JUDGE STEINBERG: The question was, you went over
19 there on August 2, 1995 and saw this equipment.

20 THE WITNESS: Correct.

21 JUDGE STEINBERG: This is Fort Lee, correct?

22 MR. ARONOWITZ: Correct. Prior to August 2 --

23 JUDGE STEINBERG: Prior to that, had you ever
24 visited the translator? Isn't that the question?

25 MR. ARONOWITZ: Correct.

1 MR. NAFTALIN: Looked at the equipment, wasn't
2 that the question?

3 JUDGE STEINBERG: Okay, whatever.

4 BY MR. ARONOWITZ:

5 Q Well, let's take it in pieces. Did you ever visit
6 the translator?

7 A Yes, we visited the translator, yes.

8 Q We being you?

9 A Yes, I did.

10 Q Did you have occasion to see equipment at the
11 translator?

12 A On a previous occasion.

13 Q On a previous occasion?

14 A Yes, I did.

15 JUDGE STEINBERG: When?

16 THE WITNESS: It was during 1994.

17 MR. NAFTALIN: That's my objection, Your Honor.
18 This isn't --

19 JUDGE STEINBERG: Is this Franklin Lakes?

20 MR. NAFTALIN: This sounds like new testimony.

21 MR. ARONOWITZ: Now, wait a second.

22 JUDGE STEINBERG: I asked, is this Franklin Lakes?

23 MR. ARONOWITZ: I don't perceive it to be. I'll
24 withdraw the question. This is just absurd.

25 JUDGE STEINBERG: Well, it's not absurd. It's

1 just there's a question, an objection, and I'm trying to get
2 to where we're going.

3 BY MR. ARONOWITZ:

4 Q On August 2, 1995, did you testify that you heard
5 that you observed filters on the receive antenna?

6 A Yes, there were filters on all the --

7 Q Did you form an impression of what those filters
8 did?

9 A Well, they were helping to receive the signal from
10 the Pomona translator.

11 Q Fine. Did you visit the Pomona translator?

12 A Yes, I did.

13 Q Did you see equipment at the Pomona translator?

14 A There was equipment at Pomona translator very
15 similar to Fort Lee.

16 Q So, would it include filters?

17 A Also filters.

18 Q What was your impression of what those filters
19 did?

20 A They were helping to receive the signal from
21 Monticello at Pomona.

22 Q Perfect, thank you. I believe this morning you
23 identified a Mr. Zimney, is that correct?

24 A Right.

25 Q I believe you testified he was your supervisor?

1 A Yes.

2 Q Are you aware of any active role he took in this
3 proceeding?

4 A No -- yes, I'm aware that he did not actively
5 participate.

6 Q So, how would you characterize the nature of any
7 involvement, if any?

8 A His involvement was only to determine what work of
9 the day that I was doing, where was I visiting.

10 Q Did you characterize that as supervisory?

11 A Yes, I would.

12 Q Thank you.

13 JUDGE STEINBERG: You just basically let him know
14 on a daily basis what you were doing?

15 THE WITNESS: Correct, that's all. Where was I
16 going and what time would be expected back.

17 MR. ARONOWITZ: I have no more, Your Honor.

18 JUDGE STEINBERG: Mr. Helmick, do you want a
19 break?

20 MR. HELMICK: Yes, Your Honor, about three or four
21 minutes?

22 JUDGE STEINBERG: Sure. Let's break until 20
23 after.

24 (Whereupon, a short recess was taken.)

25 JUDGE STEINBERG: Back on the record. Mr.

1 Helmick?

2 REDIRECT EXAMINATION

3 BY MR. HELMICK:

4 Q Mr. Loginow, I'd just like for you to have in
5 front of you for reference your radio station inspection
6 report, which is pages 254 and 255 of the Broadcast Bureau
7 exhibits.

8 A Okay, I have it.

9 Q I want to try to put a time line on what you did
10 and when you did it and the order you did it, when you
11 inspected Station WJUX. After you found a station, you walk
12 into the WJUX studio, did you have a list of things that you
13 wanted to check when you went in there?

14 A I had a mental list.

15 Q What was the first question out of the box that
16 you had? Well, presumably, who did you see when you went in
17 there, first of all?

18 MR. RILEY: Your Honor, I object. It's new
19 direct. This is a joint exhibit, Mr. Loginow's statement,
20 sponsored by Universal and the Mass Media Bureau. I asked
21 Mr. Loginow how long he had been there, but I did not put a
22 time line on it, and I don't think it's appropriate to put a
23 time line on it.

24 If there was an interest in introducing into this
25 record what Mr. Loginow said or what was said to him by the

1 first person he would have encountered, it should have been
2 in the statement produced for direct testimony in this case.

3 JUDGE STEINBERG: I'm going to overrule the
4 objection, because I think it's within the scope of
5 redirect. There's a lot of testimony to what he did and I
6 think that when he did it flows from that.

7 BY MR. HELMICK:

8 Q All right, Mr. Loginow, you walk into the station.
9 Do you recall who the first person was that you met, or what
10 did you say? What were your words?

11 A I believe the first person was the on duty
12 operator for WVOS. Actually, when I first walked in, there
13 wasn't anybody there. I had to meander around and look for
14 someone, and that someone was towards the rear of the
15 building, and that' was the on duty operator for WVOS, and I
16 said, I identified myself, I'm here to look at station WXTM
17 and now WJUX. Who was available?

18 He said, he's not associated with that station,
19 but if I'll just wait, that he would contact someone to come
20 over and meet with me.

21 Q How long did you have to wait?

22 A There was a wait of about 20 minutes, maybe.

23 Q Twenty minutes? After you had waited 20 minutes,
24 who came in?

25 A It would be Mr. Blabey.

1 Q Mr. Blabey, how did he identify himself?

2 A Well, you know, by his name and that he was with,
3 he was representing WXTM as general manager.

4 Q Did you meet Carol Montana while you were there?

5 A Yes, I did, and that was -- the exact time frame
6 is a little bit confusing. I just don't remember the exact
7 line of occurrences.

8 Q Was Mr. Blabey out of the building, if you had to
9 wait 20 minutes, did he come from outside into the studio?
10 Or, was he in the studio?

11 A No, he was not in the studio at the time.

12 Q Do you know if Carol Montana was in the studio
13 when you showed up?

14 A When I first entered, she was not in the office,
15 though I spoke with her eventually, otherwise I would have
16 seen her first. So, I do not know where she was when I
17 first entered.

18 Q After the formalities of identification were
19 given, what was the first issue or point that she gave Mr.
20 Blabey? What did you want to ask them first?

21 A Well, I generally reported, as in the general
22 order that I took it in. I met with Mr. Blabey and then
23 we -- he told me what his position is. I asked him what
24 else he does and he said he's also the owner of WVOS.

25 We may have spoken with Carol Montana then, or we

1 may not. Or, Turro may have called up by that time.

2 Q It would be --

3 A The order of events are just not clear to me.

4 Q I want to try and lead you through and see if it
5 refreshes your recollection. When did you ask Mr. Blabey
6 the question of whether there was remote control capability
7 from the main studio at WJUX? Was that early on?

8 A I do not remember exactly. I just do not recall.

9 Q Did you ask him that question as to whether there
10 was remote control capability before Mr. Turro called?

11 A That I do not recall.

12 Q At some point, Mr. Blabey told you that there was
13 no remote control at the main studio at WJUX?

14 A That's correct.

15 Q When he told you that, you relied upon his word
16 that there was no remote control at the main studio?

17 A That's correct.

18 Q When he told you that, did that end your concern
19 about the remote control capability?

20 A I felt that I had a reasonably good assessment of
21 the remote control situation with respect to Ferndale.

22 Q Mr. Blabey told you that there was no remote
23 control at the Ferndale studio. Would it have made any
24 difference to you if there had been remote control from
25 Dumont?

1 A We weren't investigating whether Dumont had remote
2 control. We were investigating whether Ferndale had remote
3 control.

4 Q Assuming that there was a remote control from
5 Dumont --

6 A Okay.

7 Q -- is there still a requirement that there has to
8 be remote control at the main studio?

9 A Oh, definitely, sure.

10 Q All right. When you showed up to inspect WJUX,
11 who was identified as the operator on control?

12 A The operator on control would have been in Dumont.

13 Q Was there any operator in control of WJUX at the
14 main studio?

15 A At the main studio, no.

16 JUDGE STEINBERG: When you use the phrase operator
17 and control, when the phrase is used, does that mean to you
18 that there's got to be an engineer there?

19 THE WITNESS: The term is on duty operator.

20 JUDGE STEINBERG: That's synonymous with operator?

21 THE WITNESS: Operator on duty, engineer,
22 whatever. Someone who is in control.

23 BY MR. HELMICK:

24 Q Someone has to be in the main station in control
25 of the transmitter, right?

1 A Right.

2 Q It could have been a non-engineering person versus
3 the announcer or something of that nature?

4 A Correct.

5 MR. RILEY: Objection, Your Honor. These are
6 leading questions by Mr. Helmick, who is a co-sponsor of
7 this witness. It is not the Bureau's witness, it is
8 Universal's witness.

9 JUDGE STEINBERG: Okay --

10 MR. HELMICK: We'll try to avoid the leading
11 questions, Mr. Riley.

12 BY MR. HELMICK:

13 Q When you walked into what was the main studio of
14 WJUX, when you said you saw a control board, microphone,
15 some tape equipment. Did you see any EBS equipment in
16 there?

17 A I don't recall seeing any EBS equipment, no.

18 Q Did you check, specifically look to see if there
19 was any EBS equipment?

20 A No, I did not specifically look for EBS equipment,
21 no. My best recollection is there was no EBS in that room.

22 Q This may have been asked, but I'm going to ask it
23 again. Do you have any specific recollection of whether
24 there was a telephone in the studio?

25 A No, I do not.

1 Q At some point, Mr. Turro called you while you were
2 doing your inspection at WJUX, is that correct?

3 A That's correct.

4 Q Do you have any recollection of how long it was
5 after you arrived at the station that that call came in?

6 A It was on the order of an hour, maybe an hour and
7 a half, something in that time frame.

8 Q Did you ask Mr. Blabey to have Mr. Turro call you,
9 or did this call just come in?

10 A It just came in. I did not ask for him to call.

11 Q What did Mr. Turro say to you after he identified
12 himself?

13 A Well, as I already stated, he said that -- well, I
14 asked him about the remote control. He responded, it's in
15 Dumont, as well as meter readings are done from Dumont.
16 Then he mentioned about the secondary type remote control of
17 the dial up.

18 JUDGE STEINBERG: Let me just interrupt. Do you
19 remember if you asked Mr. Blabey about remote control before
20 asking Mr. Turro about remote control?

21 THE WITNESS: No, I don't recall the specific
22 order of who I asked first.

23 JUDGE STEINBERG: So, if you asked Mr. Blabey
24 first and Mr. Blabey said no, there's no remote control,
25 then you didn't take his word for that, because you then

1 asked Mr. Turro?

2 THE WITNESS: Correct.

3 JUDGE STEINBERG: But, if it was reversed, and you
4 asked Mr. Turro first, and Mr. Turro said the remote control
5 and meters are in Dumont, then you didn't take Mr. Turro's
6 word for it, because you asked Mr. Blabey, right?

7 THE WITNESS: Right.

8 JUDGE STEINBERG: So, your statement that you
9 usually rely on what an individual at the station tells you
10 and you don't look any further is not entirely accurate,
11 because in this instance, you asked twice. Do you know why
12 you asked twice in this instance?

13 THE WITNESS: It appears that I talked with Mr.
14 Turro first and then asked Mr. Blabey about remote control.
15 If I was forced to make a decision as to which occurred
16 first, it would be that I spoke with Mr. Turro first.

17 JUDGE STEINBERG: But, you don't really recall?

18 THE WITNESS: No, I don't.

19 JUDGE STEINBERG: You already read the complaint
20 that was lodged against Mr. Turro and Mr. Weis by Universal?

21 THE WITNESS: Correct.

22 JUDGE STEINBERG: I mean, is it fair to say that
23 the complaint didn't paint such a wonderful picture of Mr.
24 Turro and Mr. Weis?

25 THE WITNESS: Well, basically, of the operation.

1 JUDGE STEINBERG: Of the operation, so maybe if
2 Mr. Turro told you something, you didn't believe him and you
3 wanted to check it?

4 THE WITNESS: That was not in my mind when --

5 JUDGE STEINBERG: Okay, if that was not in your
6 mind -- I don't want to put words in your mouth. Just tell
7 me no, that's not accurate.

8 THE WITNESS: I wasn't judging the character of
9 Mr. Turro.

10 JUDGE STEINBERG: Okay. Mr. Helmick?

11 BY MR. HELMICK:

12 Q To follow up to Judge Steinberg's questions and
13 try to put a time frame on this, did Mr. Turro tell you
14 about damage to the antenna? He discussed that in his phone
15 conversation, right?

16 A Yes, he did.

17 Q Was that the first that you heard about this
18 damage to the antenna, or did it come up in your
19 conversation with Mr. Blabey before Mr. Turro and you
20 talked?

21 A I believe it was Mr. Turro who first mentioned to
22 me, that's how I first learned of it during the telephone
23 conversation.

24 Q Did Mr. Blabey ever confirm that there had been
25 damage to the antenna?

1 A Yes, when we were up there, he indicated that.
2 When we were up at the transmitter, rather.

3 Q You arranged with Mr. Blabey to have a man at the
4 WJUX transmitter to turn it on and off. You wanted to do
5 some tests on the following day, is that correct?

6 A That's correct.

7 Q Whose suggestion was it that they have a man at
8 the transmitter to turn it on or off? Was it yours or Mr.
9 Blabey's or someone else?

10 A Well, it was Mr. Turro's.

11 Q Mr. Turro's suggestion? If there was remote
12 control of the WJUX transmitter from Dumont, did Mr. Turro
13 propose that they shut the transmitter on and off from
14 Dumont or did he just say, let's have a man at the
15 transmitter site up there? How did that transpire?

16 A He was concerned for the stability of the
17 transmitter, since it was operating at different operating
18 parameters, and he said he preferred to have a man posted
19 during the transitional period of shutting it off and
20 turning it back on again.

21 Q The remote control function, I believe your
22 testimony was, that Mr. Turro was not concerned about damage
23 to the remote control equipment?

24 A He certainly didn't mention that.

25 Q What was his concern, if you know?

1 A The concern was for the transmitter, that the
2 transmitter would return to its low operating point again,
3 upon being turned on again.

4 Q If that happened, couldn't they send someone after
5 the transmitter then, to adjust it?

6 A Presumably. I mean, I don't want to speak for
7 what he had in mind. If, other than there are circuits to
8 protect the transmitter, and if it sensed that it wasn't
9 quite operating correctly, it may fall down, you know, to
10 protect itself. It may shut itself off and the station
11 would be off the air until somebody could get over there.
12 That's the way it normally works.

13 JUDGE STEINBERG: So, in your experience as an
14 engineer and as a Commission field engineer, did what Mr.
15 Turro tell you at that time, that he'd prefer to have
16 somebody there at the transmitter, physically turning it on
17 and off through remote control, did that make sense to you?

18 THE WITNESS: Yes, that was consistent, since the
19 transmitter was operating at different parameters than it
20 normally is, and it sustained damage in the antenna.

21 BY MR. HELMICK:

22 Q When Mr. Turro mentioned to you on the phone the
23 fact that there was dial up remote control over the WJUX
24 transmitter, did you pursue this with him or ask him any
25 additional questions, or were you interested in this?

1 A No additional questions.

2 (Pause.)

3 Q Not to beat a dead horse, but Mr. Loginow, turn to
4 -- do you have Mass Media Bureau Exhibit 17 in front of you,
5 specifically page 263, which are your answers to
6 interrogatories of Monticello Mountaintop?

7 A No, I don't have that.

8 MR. HELMICK: May I approach?

9 JUDGE STEINBERG: Yes.

10 BY MR. HELMICK:

11 Q Pages 263 and 264. Please look that over. If you
12 would read down to the middle of page 264 and we'll stop
13 there.

14 A Okay.

15 Q Does that refresh your recollection as to whether
16 or not you spoke to Mr. Blabey first on the remote control
17 aspect or to Mr. Turro?

18 A If forced to select one or the other, I would say
19 I spoke to Mr. Turro first. If absolutely requested, to the
20 best of my recollection, I would say that's -- that would be
21 the order.

22 (Pause.)

23 Q Mr. Blabey said that he informed you there was no
24 remote control capability at the WJUX studio.

25 MR. RILEY: Your Honor, is that a question?

1 JUDGE STEINBERG: This is just preliminary.

2 MR. HELMICK: It's preliminary.

3 BY MR. HELMICK:

4 Q At any time, did Mr. Blabey indicate that neither
5 he nor Ms. Montana nor anyone else at the WJUX studio had
6 the access codes for any telephone dial up system?

7 MR. RILEY: I object. Evidence not in the record,
8 that there was any discussion about telephone dial up. In
9 fact, the witness has specifically testified that he had no
10 such discussions with either Mr. Blabey or Ms. Montana. He
11 did not ask them about it.

12 JUDGE STEINBERG: Is what Mr. Riley said accurate?

13 THE WITNESS: To the best of my recollection, yes.

14 JUDGE STEINBERG: All right, then I think you've
15 got your answer.

16 BY MR. HELMICK:

17 Q It would be safe to say, I guess, in view of your
18 answer, that certainly Mr. Blabey never volunteered to you
19 that he had any knowledge as to any access codes? Nothing
20 was ever said about it?

21 A No, nothing at all.

22 Q In your experience as an FCC investigator working
23 with CIB, if there is vandalism or acts of damage to
24 broadcasting antenna equipment, does your office ever get
25 involved in those kinds of things?

1 A No, not at all.

2 Q Not at all?

3 A No, not at all.

4 Q Based on your knowledge of the rules and your
5 years as an FCC inspector, what are the appropriate uses of
6 an intercity relay?

7 A That would be for the transmission of programming
8 for a full service FM station to provide programming to its
9 transmitter.

10 Q Was an intercity relay ever used for telemetry
11 purposes? Under the rules, is it proper to use it for
12 telemetry purposes?

13 A I --

14 MR. NAFTALIN: Objection, Your Honor. Are we
15 asking this witness about rule interpretation or legal
16 conclusion?

17 JUDGE STEINBERG: I would think that we're asking
18 him for his opinion as an engineer, not as a lawyer.

19 MR. HELMICK: His knowledge of the rules.

20 JUDGE STEINBERG: His knowledge of the
21 Commission's rules.

22 MR. NAFTALIN: All right, I withdraw the
23 objection.

24 JUDGE STEINBERG: Yes.

25 MR. HELMICK: Your Honor, I'm not asking for a

1 legal conclusion.

2 THE WITNESS: I do not specifically know if it can
3 be used for telemetry. I would have to research that.

4 BY MR. HELMICK:

5 Q In your May 15 inspection of the Fort Lee facility
6 where you used the signal generation device?

7 A Yes.

8 Q You said you generated a signal on 94.3 MHz, which
9 would have been the Pomona translator frequency?

10 A Yes, that's correct.

11 Q I believe it was your testimony that you feel
12 reasonably confident that even assuming that the Pomona
13 translator signal was being received in the basement of the
14 Mediterranean Towers on a receive antenna, that when you
15 generated that signal on 94.3 MHz, that would have been
16 sufficient because of ducting, as you referred to it, to
17 knock off the Pomona signal if it was being received
18 directly off air in the basement of the Mediterranean
19 Towers?

20 A Yes, I'm rather confident that it would have.

21 Q Assuming that the Fort Lee translator is picking
22 up the WJUX signal from the Pomona translator, would the
23 fact that WJUX might be operating at reduced power because
24 of a lightening strike on its antenna, would that have any
25 effect whatsoever on the signal received by Pomona?

1 MR. NAFTALIN: Objection, Your Honor. I think
2 this has been asked and answered several times.

3 JUDGE STEINBERG: No, it's overruled. So, the
4 signal is going from Monticello to Pomona?

5 MR. HELMICK: To Fort Lee.

6 JUDGE STEINBERG: To Fort Lee, and we're assuming
7 that the Monticello signal is reduced because of the
8 lightening strike?

9 MR. HELMICK: That's correct.

10 JUDGE STEINBERG: The question is, what, if any,
11 effect would that have on what --

12 MR. HELMICK: On what Pomona receives?

13 JUDGE STEINBERG: First on what Pomona receives?

14 MR. HELMICK: That's correct, Your Honor.

15 JUDGE STEINBERG: Then, second, on what Fort Lee
16 receives? Or, are we going to get the second?

17 MR. HELMICK: Well, Fort Lee receives from Pomona.

18 JUDGE STEINBERG: Right.

19 MR. HELMICK: It doesn't receive -- it allegedly
20 does not receive from WJUX through Pomona.

21 THE WITNESS: Well, of course, depending on how
22 exactly how much it was reduced by and the nature of the
23 receiving system at Pomona, it may or may not have an
24 effect.

25 According to the equipment that was shown with the

1 filters, I would presume that it would not have much of an
2 effect, though, if the power was reduced at Monticello,
3 receiving at Pomona.

4 BY MR. HELMICK:

5 Q Does the translator at Pomona, when it receives
6 the signal from Monticello, in addition to filtering
7 equipment -- forget the filtering equipment -- does the
8 Pomona translator, when it receives a signal, amplify it or
9 boost the signal?

10 A Well, it boosts the signal by the fact that it's
11 being retranslated, so the apparent signal, in and of
12 itself, is increased at Pomona versus the Monticello signal.

13 Q So, it comes in at a reduced strength, if the
14 reduced strength signal from Monticello is received at
15 Pomona, the Pomona translator is going to rebroadcast it at
16 whatever power it is?

17 A That's correct, the output power of Pomona would
18 not vary.

19 Q So, the fact that there may be reduced power at
20 WJUX, so long as the Pomona translator can receive it, it
21 would have no effect whatsoever on Pomona?

22 A Depending on the exact nature of the receiver, it
23 should not have an effect.

24 JUDGE STEINBERG: Just to extend that further,
25 Pomona retranslates it, in your words --

1 THE WITNESS: Yes, right.

2 JUDGE STEINBERG: -- Fort Lee picks it up --

3 THE WITNESS: Correct.

4 JUDGE STEINBERG: -- from Pomona --

5 THE WITNESS: Correct.

6 JUDGE STEINBERG: -- so it shouldn't have any
7 effect on what's heard in the Fort Lee area?

8 THE WITNESS: Depending on what the percentage of
9 reduction in power was and the receiving nature.

10 JUDGE STEINBERG: So, it could?

11 THE WITNESS: It could, and it --

12 JUDGE STEINBERG: It couldn't?

13 THE WITNESS: -- could work both ways, sure.

14 JUDGE STEINBERG: I had asked you about this
15 earlier. This is a question I had trouble verbalizing and
16 what I --

17 THE WITNESS: I think I said, in response to your
18 direct question, that it could have no effect.

19 JUDGE STEINBERG: So, we have one scenario.
20 Monticello, Pomona to Fort Lee. How about, what if the
21 receive antenna was picking up directly from Monticello?
22 Fort Lee, directly to Monticello, skipping Pomona, because
23 isn't there evidence that that was operated that way at
24 times?

25 THE WITNESS: There is no evidence that it was